



C. Earl Hunter, Commissioner

Promoting and protecting the health of the public and the environment.

PUBLIC NOTICE Clarification

The public notice for **DEMARIS RABON** was originally published by OCRM on September 15, 2006, with the permit number, OCRM-06-549. Subsequently, the Army Corps of Engineers has placed the same project on Joint Public Notice, which is attached. For clarification purposes, please refer to the Corps permit number of 2006-2185-3IT-P when submitting comments to OCRM.

The proposed activity is to construct a private recreational dock, bulkhead and fill on Main Creek, Murrells Inlet, Georgetown County, South Carolina

Written comments will be received on this project until October 29, 2006. For further information please contact the project manager for this activity, Tanitra Marshall at 843-238-4528.

M

September 29, 2006

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

Ocean and Coastal Resource Management

Charleston Office • 1362 McMillan Avenue • Suite 400 • Charleston, SC 29405

Phone: (843) 744-5838 • Fax: (843) 744-5847 • www.scdhec.gov

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
1949 Industrial Park Road, Room 110
Conway, South Carolina 29526
and the
S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION
Refer to: P/N #2006-2185-3IT

29 September 2006

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et. seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

DEMARIS RABON
c/o THE EARTHWORKS GROUP
11661 HIGHWAY 707
MURRELLS INLET, SOUTH CAROLINA 29576

for a permit to construct a docking facility and bulkhead and place fill in waters of the United States adjacent to

MAIN CREEK

at a location adjacent to and south of Jordan Landing Road, Murrells Inlet, Georgetown County, South Carolina (Latitude 33.5685° N, Longitude 79.0214° W).

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, OCTOBER 30, 2006

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of constructing a walkway, covered fixed pierhead, ramp, boatlift, two floating docks, and bulkhead. In detail, the work consists of constructing a 13' X 16' fixed pierhead partially covered by an 8' X 13' roof and attached to an existing bulkhead by a 4' X 42' walkway. The proposed pierhead will be attached to a 152 square foot irregularly shaped floating dock by a 3' X 18' ramp. The dock will provide access to an upstream 8' X 10' floating jet ski dock and 10' X 12' boatlift. A 16 linear foot bulkhead will be constructed in the mouth of an existing boat ramp joining two existing bulkheads. The enclosed space will be filled with approximately 3.5 cubic yards of fill. The project is for the private recreational use of the applicant.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
1949 Industrial Park Road, Room 110
Conway, South Carolina 29526**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

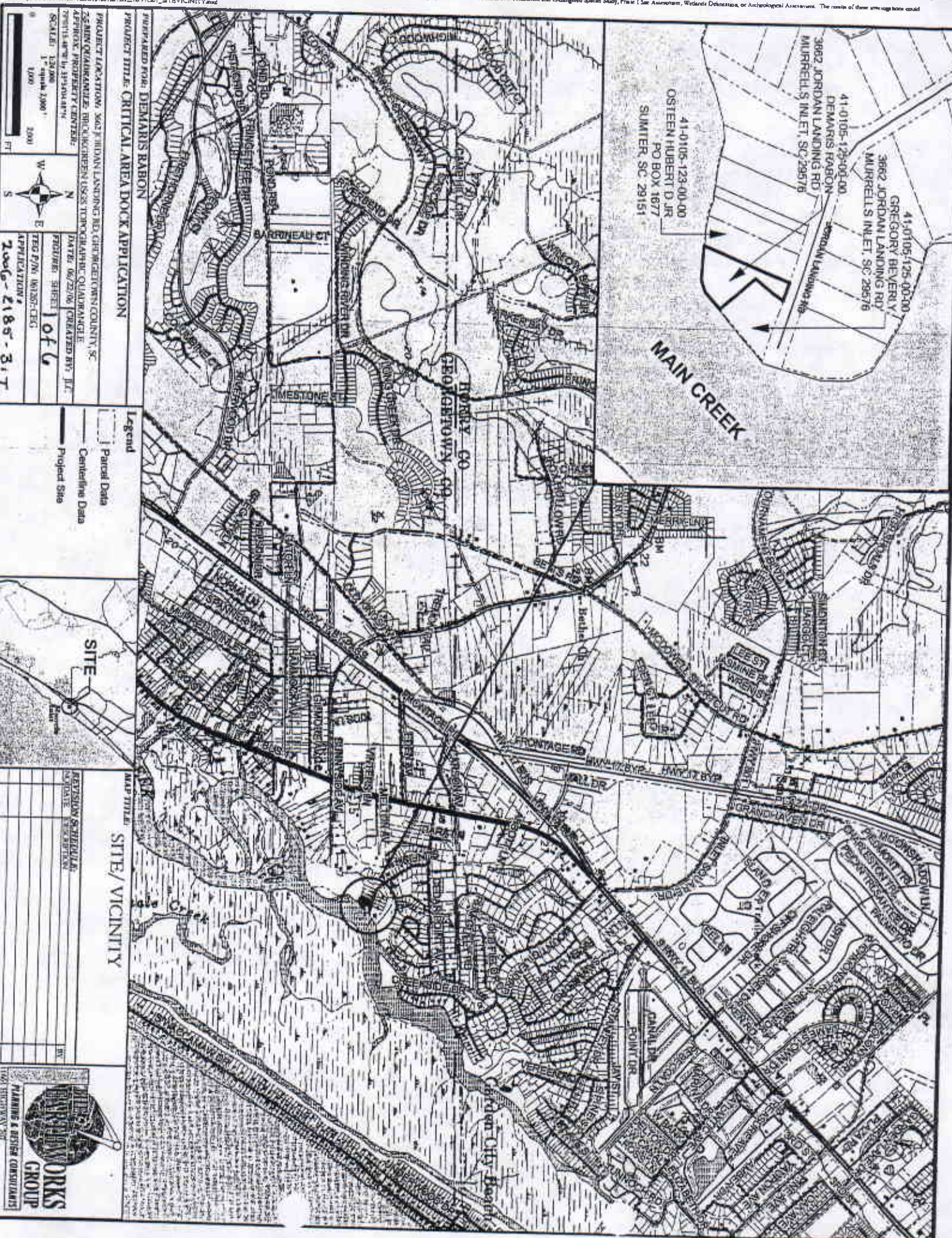
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Jay M. Thomas at 843-365-4239.

The results of these site investigations should



41-105-123
HUBERT D OSTEEEN JR
PO BOX 1677
SUMTER, SC 29151

EXISTING ADJACENT
DOCKAGE (264 S.F.)

41-105-125
DEMARIUS RABON
3662 JORDAN LANDING RD
MURRELLS INLET, SC 29576

41-105-125
GREGORY BEVERLY
3662 JORDAN LANDING RD
MURRELLS INLET, SC 29576

EXISTING BOAT
RAMP (330 S.F.)

EXISTING
BULKHEAD
345 L.F.

EXISTING ADJACENT
DOCKAGE (140 S.F.)

LEGEND

 MARSH GRASS

Applicant: DEMARIUS RABON

Project Title: RABON DOCK APPLICATION

Project Location: 3662 JORDAN LANDING RD
MURRELLS INLET, SC

Revisions	
Date	Initials

Sheet Title: EXISTING PLAN VIEW

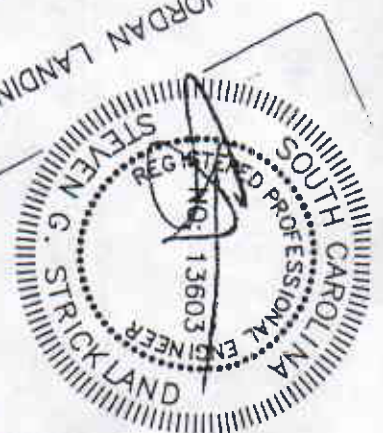
Date: 08/04/06

Application #
2006-2085-21T

Scale: 1" = 40'

Sheet 2 of 6

NOT FOR
CONSTRUCTION



**FLOATING DOCKS WILL NOT
REST UPON THE BOTTOM DURING
NORMAL LOW WATER.**

Project Title: RABON DOCK APPLICATION

Project Location: 3662 JORDAN LANDING RD
MURRELLS INLET, SC

Revisions	
Date	Initials

Sheet Title: PROPOSED PLAN VIEW

Date: 08/04/06

Application #

Scale: 1" = 40'

Sheet 3 of 6

LEGEND

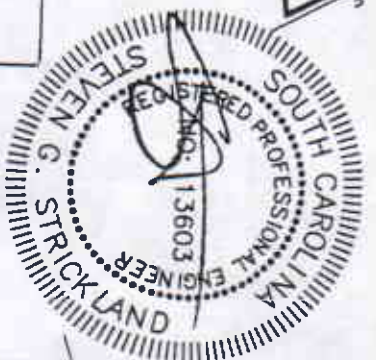
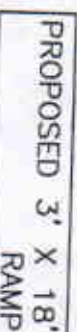
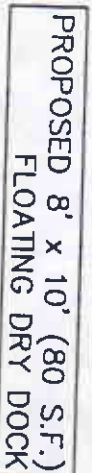
MAIN CREEK

MARSH GRASS

Figure 1

PROPOSED FILL

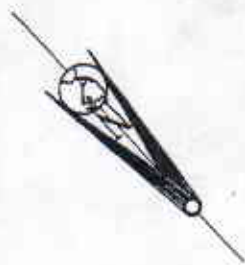
NOT FOR
CONSTRUCTION



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8/7/2006

11:42:30 AM EST



NOT FOR
CONSTRUCTION

Applicant: DEMARIS RABON

Project Title: RABON DOCK PERMITTING
CRITICAL AREA PERMIT

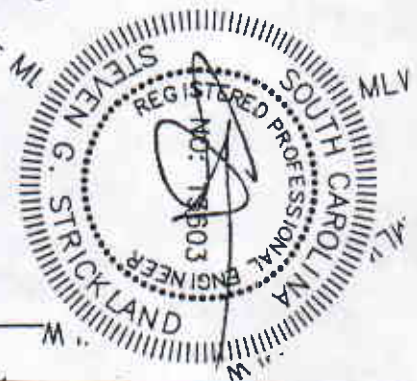
Project Location: 3662 JORDAN LANDING RD
MURRELLS INLET, SC

MAIN CREEK

EXTENDED PL
N41°43'29"W

EXTENDED PL
N 16°52'36"E

JORDAN LANDING RD



NOTES:

FLOATING DOCKS WILL NOT
ARREST UPON THE BOTTOM DURING
NORMAL LOW WATER.

Revisions

Sheet Title: DOCK CORRIDOR VIEW

Date: 08/04/06

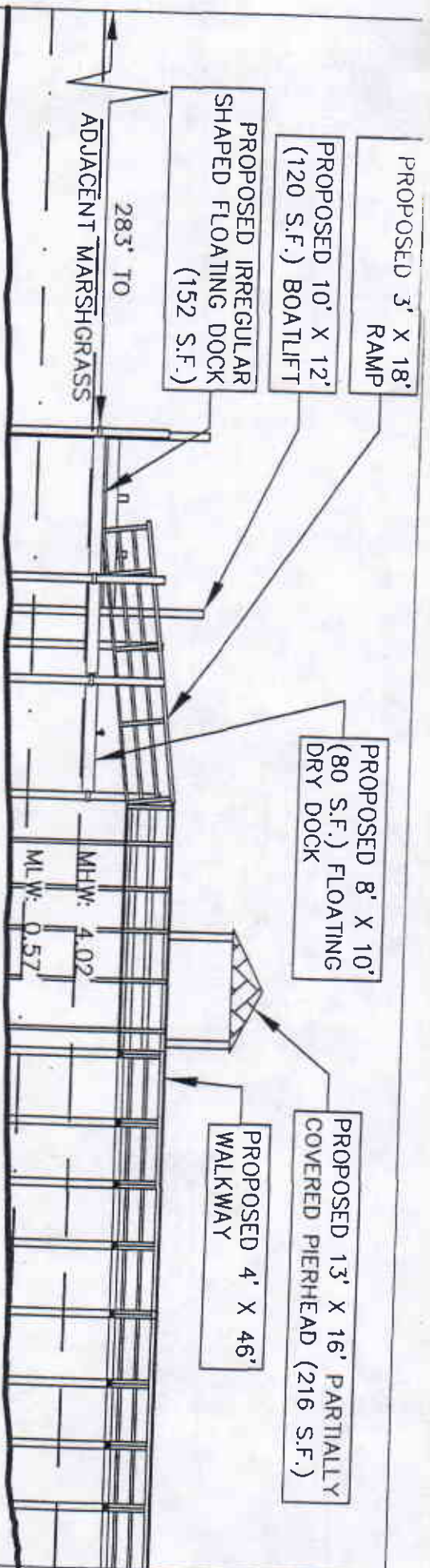
Scale: 1" = 100'

Application #
2006-2185-3, T

Sheet 4 of 6

SIDE ELEVATION

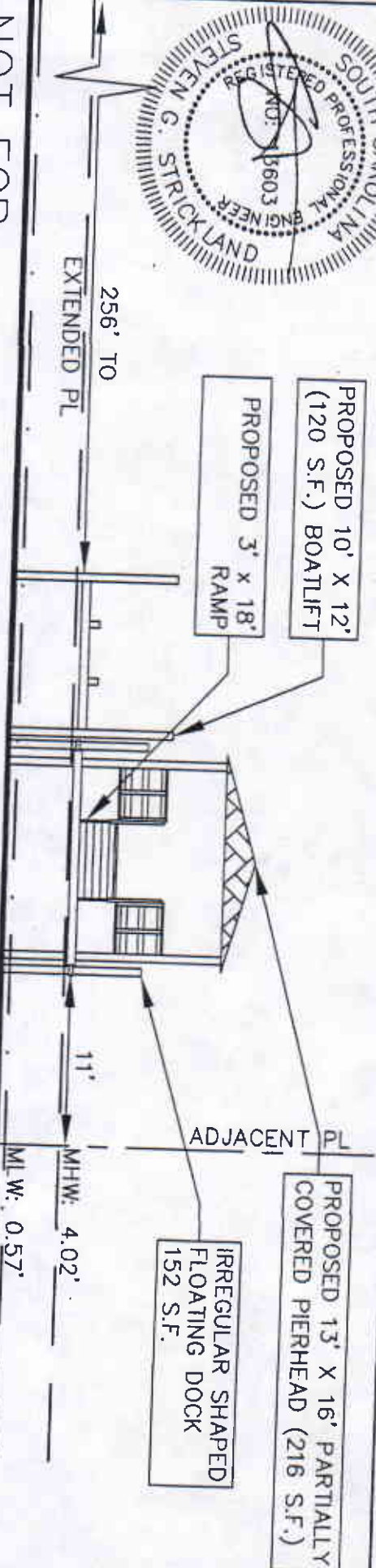
BOTTOM



NOT FOR
CONSTRUCTION

FRONT ELEVATION

BOTTOM (VAR.)



Applicant: DEMARIS RABON

Project Title: RABON DOCK APPLICATION

Project Location: 3662 JORDAN LANDING RD
MURRELLS INLET, SC

Revisions	
Date	Initials

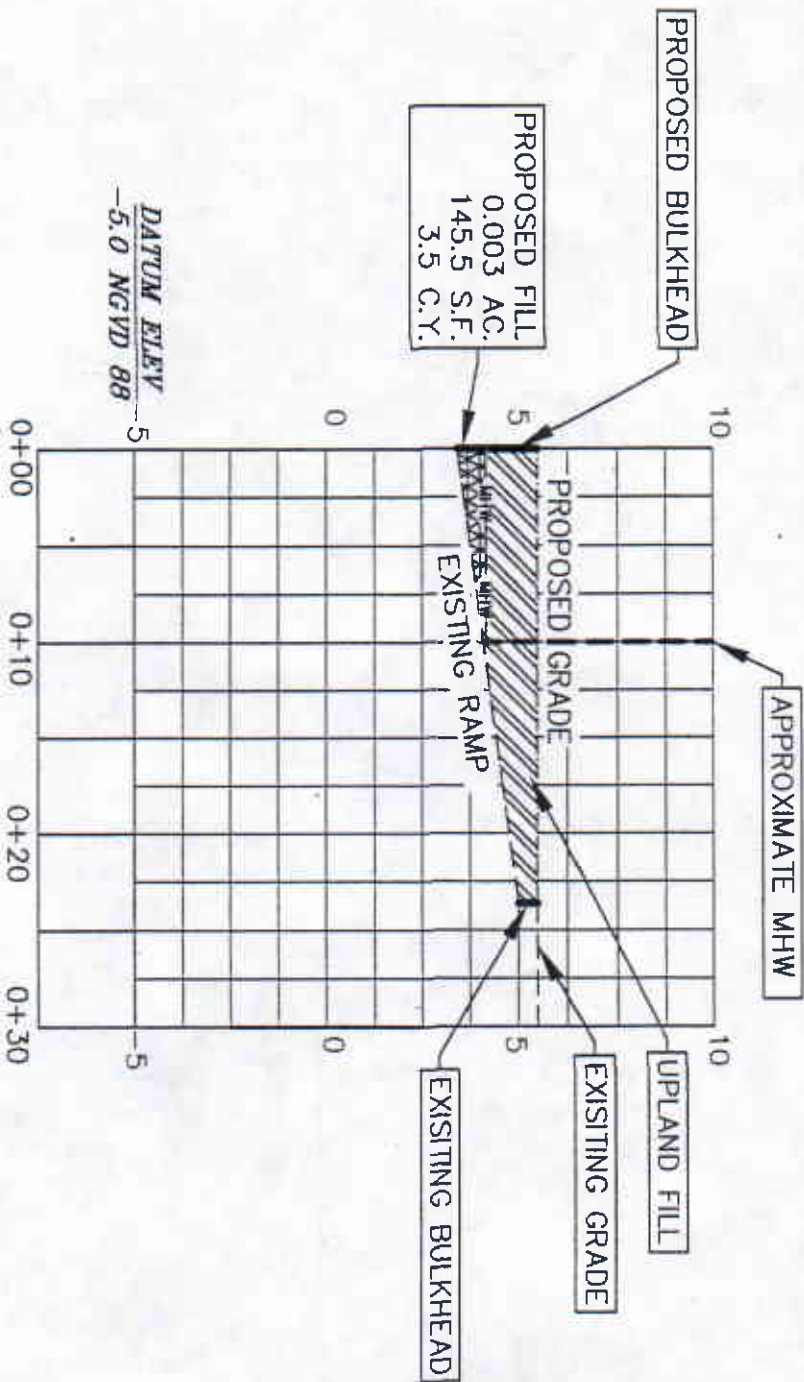
Sheet Title: CROSS SECTION VIEW

Date: 08/04/06

Scale: 1" = 10'

Application #
2006-2185-317

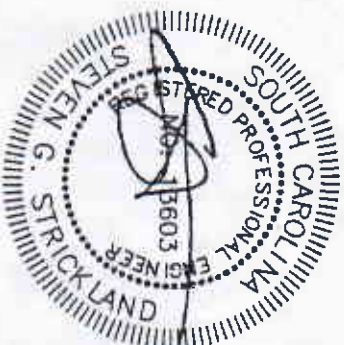
Sheet 5 of 6



CROSS SECTION

SCALE:
VERT: 1" = 5'
HORIZ: 1" = 10'

NOT FOR
CONSTRUCTION



Applicant: DEMARIS RABON

Project Title: RABON DOCK PERMITTING
CRITICAL AREA PERMIT

Project Location: 3662 JORDAN LANDING RD
MURRELLS INLET, SC

Revisions
Date Initials

Sheet Title: CRITICAL AREA FILL CROSS SECTION

Date: 08/04/06

Scale: 1" = AS SHOWN

Application #
2006-2185-21T

Sheet 6 of 6